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RUEHKA/AMEMBASSY DHAKA PRIORITY 3055
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 5743
RUEHLO/AMEMBASSY LONDON PRIORITY 6793
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 3529
RUEHCI/AMCONSUL KOLKATA PRIORITY 4989
RUEHCN/AMCONSUL CHENGDU PRIORITY 0494
RUESLE/AMCONSUL SHANGHAI PRIORITY 0106
RUEHGV/USMISSION GENEVA PRIORITY 2549
RUCNDT/USMISSION USUN NEW YORK PRIORITY 3841
RUEKJCS/SECDEF WASHDC PRIORITY
RHMFIISS/CDR USPACOM HONOLULU HI PRIORITY
RUEAAIA/CIA WASHDC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000144

SIPDIS

E.O. 12958: DECL: 02/17/2019

TAGS: PREL PREF CH NP

SUBJECT: NEPAL: CHINA PRESSURE BUT NEPALIS SAY REFUGEE
POLICY HASN'T CHANGED

REF: NEW YORK TIMES 02/18/10 ARTICLE "CHINA
INTENSIFIES A TUG OF WAR WITH INDIA OVER
NEPAL"

Classified By: Charge d'Affaires, a.i., Donald A. Camp. Reasons 1.4 (b/ d).

¶1. (C) SUMMARY. Nepal's commitment to protecting Tibetan refugees remains firm, despite Chinese pressure to increase security on the China-Nepal border. During the Home Minister's recent visit to China, Chinese officials pressed the Minister to improve border communication and create a new bilateral coordination mechanism. Although Nepal has promised to build new police border posts, constructing such posts is logistically complicated and expensive. UNHCR does not believe the Chinese pressure has fundamentally altered Nepal's policy on Tibetan refugees, noting that the number of refugees crossing into Nepal in recent months has increased, not decreased, and that Nepal continues to honor the "gentlemen's agreement" to facilitate the transit of Tibetan refugees to India. END SUMMARY.

Chinese Press Home Minister on Border

¶2. (C) During Home Minister Bhim Rawal's February 6-12 trip to China, Chinese officials pressed Rawal to improve control of the Nepal-China border. According to Ministry of Foreign Affairs Joint Secretary Dhananjay Jha, who traveled with Rawal, Chinese officials thanked Nepal for its crackdown on anti-Chinese demonstrations in Kathmandu during 2008-2009. As always, the Chinese asked Nepal to return "criminals" picked up in Nepal, and discussed the need for an extradition treaty (which the GON is not ready to sign).

¶3. (C) Chinese officials specifically asked Rawal to create a system of direct communication between Chinese and Nepali border posts, Jha said. The Nepal Armed Police Force (APF), which is responsible for border security, has developed a plan to build twenty new border posts near the Chinese border. According to Jha and police sources, these proposed border posts are in very remote Himalayan mountain areas, with no roads or other infrastructure. It will take substantial time and resources to construct the border posts (if they are ever built), and the APF will have difficulty staffing them. In the meantime, the APF has deployed

additional personnel to district headquarters, who conduct occasional limited patrols on the border.

¶4. (C) The Chinese also requested the creation of a bilateral Home Secretary-Home Secretary consultation mechanism, as Nepal has with its "other neighbor" (i.e. India). According to Jha, Minister Rawal agreed "in principle," with the Foreign Ministry to work out the details over time -- suggesting that the GON is not overly enthusiastic about the proposed mechanism and may stall on its creation.

No Change in Nepal's Commitment to Tibetan Protection

¶5. (C) Despite the Chinese pressure, Deputy PM and ForMin Sujata Koirala assured Charge on February 18 that the Government of Nepal remains committed to protecting Tibetan refugees once they cross in Nepal and facilitating their transit to India. While Nepal does not want to encourage migration of Tibetans, Nepal "can't send them back" once they enter Nepal, ForMin Koirala said. During UNHCR Representative Jaquemet's initial meetings with the head of the Nepal Police and Armed Police Force, both assured Jaquemet that the "gentlemen's agreement," allowing for the safe passage of Tibetans through Nepal to India, remained in force.

¶6. (C) UNHCR officials told EmbOff on February 18 that the Chinese pressure on Tibetan refugees is not new. In fact, the "low point" in GON policy was in 2003-2005, when the Kathmandu government actually refouled 18 Tibetans and

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stopped issuing exit permits. The recent announcements are the "latest in a set of long-standing pressures to disrupt and stop" the flow of Tibetans. The new border security posts represent a new strategy to "militarize" the border to scare people away, but UNHCR did not believe it would have a major impact on the movement of Tibetans into Nepal. UNHCR also noted that most of the Tibetans entering Nepal cross through Kodhari (77 percent), which is already the most-heavily-patrolled border zone. The GON is unlikely to fundamentally change its policy on refugees, the UNHCR official added, in part because it is well aware of the international interest in this issue and the goodwill Nepal's progressive policies generates.

¶7. (C) In 2009, the Tibetan Reception Center, which facilitates the transit of Tibetans to India. This represents a increase from 2008, when approximately 600 Tibetans arrived in Nepal, and suggests that it is easier -- not more difficult -- for Tibetans to cross in Nepal in recent months, and contradicting ref New York Times article. (Note: UNHCR and other experts believe that the low refugee numbers in 2008 and early 2009 was largely a result of Chinese restrictions on internal Tibetan travel, making it difficult for potential refugees to reach the border. End Note.)

China Concerned about Demonstrations During Shanghai Expo

¶8. (C) MFA's Jha told us that the Chinese had raised with the visiting Home Minister their hope that Nepal will not allow anti-China demonstrations during the Shanghai Expo (beginning May 1). This reflects continuing concern about Tibetan refugees taking advantage of China's high-profile celebrations (i.e. 2008 Olympics and 2009's 60th anniversary of the PRC) to highlight their plight.

Comment

¶9. (C) While Home Minister Rawal's visit was another occasion for the Chinese to press Nepal to crack down on the flow of Tibetan refugees, we do not believe the Nepalis will take the extraordinary steps necessary to prevent their arrival and transit to India. There may be some short-term decrease in numbers, but the flow will continue. Post will continue to

stress the importance to us of Nepal's continuing its existing policies. Charge will meet Home Minister next week and has invited other concerned embassies to a Tibet core group meeting to discuss the coordination of our efforts.

CAMP